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Attorney for Defendant,
CARLITO VELASCO

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA, FRESNO

* * * * *

UNITED STATES OF AMERICA,)	Case No.: CR-03-5418 OWW
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER TO
)	
vs.)	CONTINUE SENTENCING HEARING
)	
CARLITO VELASCO,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED between the Defendant, CARLITO VELASCO, by and through his attorney of record, Anthony P. Capozzi, and Plaintiff, United States of America, by and through Assistant United States Attorney, Kevin P. Rooney, that the hearing now set for Tuesday, January 3, 2006 at 1:30 p.m. be continued to Tuesday, January 17, 2006 at 1:30 p.m.

It is further stipulated by the parties that any delay resulting from this continuance shall be excluded on the following basis:

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3 1. Title 18, United States Code, Section 3161(h)(1)(A) which
4 states:

5 (h) The following periods of delay shall be excluded in
6 computing the time within which any information or an
7 indictment must be filed, or in computing the time
8 within which the trial of any such offense must
9 commence:

10 (1) Any period of delay resulting from other
11 proceedings concerning the defendant, including
12 but not limited to -

13 (A) delay resulting from an proceeding,
14 including any examinations, to determine
15 the mental competency or physical capacity
16 of the defendant;

17
18 Respectfully submitted,

19 Dated: December 21, 2005

20 /s/ Anthony P. Capozzi
21 Anthony P. Capozzi,
22 Attorney for Defendant,
Carlito Velasco

23 Dated: December 21, 2005

24 /s/ Kevin P. Rooney
25 Kevin P. Rooney,
26 Assistant United States Attorney
27
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ORDER

IT IS SO ORDERED. Good cause having been shown, the Hearing set for January 3, 2006, is vacated and continued to January 17, 2006 at 1:30 p.m. Additionally, time shall be excluded by stipulation from the parties and pursuant to 18 USC §3161(h) (1) (A).

Dated: December 22, 2005

/s/Oliver W. Wanger
Honorable Oliver W. Wanger,
United States District Court Judge